

HEBER CITY CORPORATION
75 North Main Street
Heber City, Utah
Planning Commission Meeting
Thursday, July 11, 2013

7:00 p.m.
Regular Meeting

Present: Planning Commission: Harry Zane
Michael Thurber
David Richards
Kieth Rawlings
Darryl Glissmeyer
Clayton Vance

Absent: Craig Hansen
Mark Webb

Staff Present: Planning Director Anthony Kohler
Planning Secretary Karen Tozier
City Engineer Bart Mumford

Others Present: Paul Berg and Jeff Riding.

Chairman Rawlings convened the meeting at 7:08 p.m. with a quorum present.

Pledge of Allegiance: Commissioner Glissmeyer
Approval of Minutes: June 13, 2013, Regular Meeting

No comments or concerns regarding the minutes from the Commission. Chairman Rawlings stated if there were no comments to the minutes the Chair would entertain a motion to approve the minutes for the June 13th Regular Meeting. Commissioner Glissmeyer stated his motion, "So moved". Commissioner Zane seconded the motion. Voting Aye: Commissioners Zane, Richards, Rawlings, Glissmeyer, and Vance. Absent: Commissioner Thurber. Voting Nay: none. The motion passed.

Item 1 Public Hearing to consider adoption of proposed Beekeeping Ordinance

Anthony Kohler indicated that Heber City does not currently have an ordinance which would permit beekeeping although there are some individuals in the City who are keeping bees. The reason for the ordinance would be to promote the ability of people to grow gardens and crops as long as this isn't a nuisance. He had provided a number of ordinances from other cities for the Commission to review and the proposed ordinance had been drafted after Salt Lake City's Ordinance.

Chairman Rawlings opened the public hearing to public comment. A member of the public, Jeff Riding, indicated he would like to make some comments after he had had time to read the proposed ordinance. Chairman Rawlings answered that they would hear his comments when he

was ready, to just raise his hand, and they would listen to any comments he had. Riding agreed to this. There were no other members of the public in attendance and so Chairman Rawlings closed the public hearing at this time.

The Commission discussed the proposed ordinance. Commissioner Zane commented on Item B Hive Location by stating that he thought it would be alright for the adjoining property owner to waive the placement of hives a minimum of five feet from the property line but that the requirement for the hives to be at least six inches above the ground should not be waived under any circumstances. There was further discussion on this, whether there should be a waiver to the five foot requirement from the property line, hive flyway zone, flight path, and proximity to property lines and possibly sidewalks. Jeff Riding indicated that many beekeepers will place a two foot barrier in front of the hive, that bees will adjust their flight path; they will naturally go up to avoid running into anything. When within five feet bees can not necessarily fly straight up. There were questions as to how many bees are in a hive. Jeff Riding answered questions. He expressed he hated to see restrictions. How many bees should be allowed? He explained that the area bees need pertains to foraging area and not so much the size of the yard. Riding indicated bees will range within one mile of their hive. Discussion on limiting the number of hives, on apiary inspectors, inspections, bee diseases, and requiring or not requiring beekeepers to take a class such as a community education three-night class. The Commissioners expressed their thoughts on these topics. Jeff Riding brought up the topic in the ordinance that stated regardless of tract size, where all hives are situated at least 200 feet in any direction from all property lines of the tract on which the apiary is situated; there shall be no limit to the number of colonies. He indicated that if he was a beekeeper and wanted to keep 25 hives on someone's land he would hate to be restricted to have to have it in the center; it is usually on the property edges where farmers are going to say, 'I don't plant, I don't irrigate this corner, so keep the bees over there', as opposed to making it be in the center of the property. Discussion of this, after discussion concluded Riding indicated he had no objections.

Commissioner Zane moved that we accept the proposed beekeeping ordinance that we've got a draft here and also that provided they add the-they keep the hive six inches off the ground if they have that waiver thing. Chairman Rawlings asked him, so you want to make that mandatory, six inches above the ground no matter what? Commissioner Zane answered, "Yeah, no matter what the deal is, six inches above the ground all the time". Chairman Rawlings repeated, "Six inches above the ground no matter what, even, with adjacent property owner waiving the - okay, so if that passes we might have to just make the change in the ordinance". Commissioner Thurber seconded the motion. Commissioner Thurber asked what the reason was for the requirement for the hives to be a minimum of six inches off the ground. Jeff Riding answered that this was for purposes of providing adequate ventilation to the hive and also so that the bees can defend their hive from vermin-type animals. Voting Aye: Commissioners Zane, Thurber, Richards, Rawlings, Glissmeyer, and Vance. Voting Nay: none. The motion passed.

Item 2 **Watts Enterprises requests a Master Plan Amendment / Concept Approval for the Ranch Landing Development located at 500 East and approximately 800 South**

Anthony Kohler indicated he had a correction to his staff report and informed the Commission that 500 East had been dedicated to the City from Watts Enterprises in 2009 with a warranty deed. The City owns 500 East from 1200 South up to the northern edge of Ranch Landing (the

southern portion of 500 East). He suggested that we have the road dedicated before final (approval). The school district still owns from 500 East from the northern edge of Ranch Landing (the northern portion of 500 East). The Commission had questions on this. City Engineer, Bart Mumford, answered their questions. He indicated the school has not dedicated their portion of 500 East to the City yet. There are still negotiations over impact fees and some last items related to the canal and that is what has held up recording this to dedicate it to the City. Mumford explained that once there was a realization that this was in the area that had already been dedicated to the City the second access was not an issue. There was brief discussion further regarding 500 East and access.

Paul Berg, the Engineer for Watt's Enterprises, addressed the Commission. He explained that in the previous master plan for Ranch Landing this was going to be townhomes. The townhomes have been removed from the plan and they are now planning for an R-3 Single Family Subdivision. They had taken a sliver of property from the condos to help maintain the landscape feel that the road has along the side and they would do the same with the storm water pond. He summarized that the commercial zone developed so far complies, the COSZ can still be in compliance even though they are amending the master plan and this property just becomes a standard R-3 subdivision.

The Commission reviewed and discussed the plat at this time. There was a question on the roads that ended on the east and north of the plat. Bart Mumford answered that the standard required a temporary cul-de-sac if the street were more than two lots deep and as this was only one lot deep they do not require that; there was also the option to put a temporary turn-around in. Lot size was reviewed, fire hydrants, setbacks and frontage were discussed and there was also discussion on snow removal plans for Lots 9 and 16. Bart Mumford answered that generally they just push the snow to the end but if there were to be a heavy snowstorm then it would need to be hauled out. Commissioner Richards asked if utilities were okay. Bart Mumford indicated there were no problems on utilities. The park strip and sidewalk, etc. were discussed. It was pointed out this was a master plan amendment to their previous approval and this was also a subdivision concept approval. Kohler explained the subdivision process to some of the newer Commissioners.

Commissioner Zane moved that we recommend approval for Watt's Enterprises' request of Master Plan Amendment / Concept Approval for the Ranch Landing Development located at 500 East and approximately 800 South and ruling that it is consistent with the General Plan, Chapter 18.22 Clustered Open Space Zone, and Chapter 18.60 R-3 Residential Zone. Commissioner Richards seconded the motion. Voting Aye: Commissioners Zane, Glissmeyer, Thurber, Rawlings, Vance, and Richards. Voting Nay: none. The motion passed.

Administrative Items:

Chairman Rawlings asked about what land was left in the City that is zoned R-3 Residential that has not yet been developed. Discussion on R-3 Zone and developments.

Commissioner Zane moved to adjourn the meeting. Commissioner Thurber seconded the motion. Voting Aye: Commissioners Zane, Glissmeyer, Thurber, Rawlings, Vance, and Richards. Voting Nay: none. The motion passed and the meeting adjourned at 8:09 p.m.